REMARKS

The foregoing amendments are responsive to the June 18, 2003 Office Action. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and the following remarks.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Office Interview

Applicants thank the Examiner for the office interview conducted on August 11, 2003. In the interview, Applicants discussed the distinction between Szkopek and claims in the application. Applicants Attorney agreed to file amended claims and remarks.

Response to Rejection of Claims 1, 7-9 and 12 Under 35 U.S.C. 102(e)

The Examiner rejected Claims 1, 7-9 and 12 Under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 5,878,221 to Szkopek et al ("Szkopek"). Szkopek teaches a token ring network where the token is passed from node to node around a virtual ring. Spefically, "a token ring of sequence Node1, Node2, Node4, Node3, Node5, has been constructed by instructing Node1 to pass the token to Node2, Node 2 to pass the token to Node4, Node4 to pass the token to Node3, Node3 to pass the token to Node5, and Node5 to pass the token to Node 1." (Column 35 at lines 28-33). By contrast, Applicants teach a system where an active server polls clients based on a lineup card.

Regarding Claim 1, the cited prior art does not teach or suggest listening to a network medium to determine if the medium is active or inactive, establishing an active network server if the medium is inactive, and using centralized token passing for access to a the medium when the medium is active, the centralized token passing controlled by the active network server, wherein the active network server grants access to the medium by sending a first token to a first network node, the first network node relinquishes access to the network medium by returning a second token to the active network server, the active network server grants access to the medium by sending a third token to a second network node, and the second network node relinquishes access to the network medium by returning fourth token to the active network server.

Regarding Claim 7, the cited prior art does not teach or suggest that a presence of a datagram is detected by matching a specified preamble and length sequence.

Regarding Claim 8, the cited prior art does not teach or suggest, in prior art with Claim 1, that access to the medium is provided by a media access control layer.

Regarding Claim 9, the cited prior art does not teach or suggest that the media access control layer provides control structures to implement a spare receive buffer large enough to hold a Media Access Control Header.

Regarding Claim 12, the cited prior art does not teach or suggest a preferred server node becomes the active server node in response to a wake-up algorithm.

Accordingly, Applicants assert that Claims 1, 7-9 and 12 are in condition for allowance, and Applicants request allowance of Claims 1, 7-9 and 12.

<u>Response to Rejection of Claims 2-6 Under 35 U.S.C. 103(a)</u>

The Examiner rejected Claims 2-6 Under 35 U.S.C. 102(e) as anticipated by Szkopek in view of U.S. Patent No. 4,491,946 to Kryskow et al.

Regarding Claim 2, the cited combination art does not teach or suggest the method of Claim 1, wherein the active network server maintains a lineup card that lists one or more active client nodes.

Regarding Claim 3, the cited combination does not teach or suggest that the active network server passes a token to a selected client node, the selected client node being one of the one or more active client nodes listed on the lineup card, wherein the active node gets the token at least approximately once every N*t milliseconds, where N is the number of slots in the lineup card and t is the maximum time in milliseconds a particular active node is allowed to keep the token.

Regarding Claim 4, the cited combination does not teach or suggest that the selected node is allowed to transmit data on the network medium only when the selected node has the token.

Regarding Claim 5, the cited combination does not teach or suggest that the selected node is removed from the lineup card when the node has been inactive for a period of time.

Regarding Claim 6, the cited combination does not teach or suggest that a new client node requests insertion on the lineup card by using spitting on the bus algorithm.

Accordingly, Applicants assert that Claims 2-6 are in condition for allowance, and Applicants request allowance of Claim 2-6.

Response to Rejection of Claim 10 Under 35 U.S.C. 103(a)

The Examiner rejected Claim110 Under 35 U.S.C. 102(e) as anticipated by Szkopek in view of U.S. Patent No. 5,925,105 to Hales et al.

Regarding Claim 10, the cited combination does not teach or suggest sending a BUSY response from a receiving node to a transmitting node when the receiving node is swamped with previous packet requests.

Accordingly, Applicants assert that Claim 10 is in condition for allowance, and Applicants request allowance of Claim 10.

Response to Rejection of Claim 11 Under 35 U.S.C. 103(a)

The Examiner rejected Claim110 Under 35 U.S.C. 102(e) as anticipated by Szkopek in view of U.S. Patent No. 5,727,002 to Miller et al.

Regarding Claim 11, the cited combination does not teach or suggest issuing an auto-announce packet when a new node enters the network.

Accordingly, Applicants assert that Claim 11 is in condition for allowance, and Applicants request allowance of Claim 11.

New Claims 28-39

Applicant has added new Claims 28-39 to further define the various aspects and features of the invention.

Summary

Applicants assert that Claims 1-12 and 28-39 are in condition for allowance, and Applicants request allowance of Claims 1-12 and 28-39. If there are any remaining issues that can be resolved by a telephone conference, the Examiner is invited to call the undersigned attorney at (949) 721-6305.

Respectfully submitted,
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